

UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA

JAMES KEVIN MACK, SR.,

Plaintiff

Case No. 2:23-cv-01868-GMN-DJA

ORDER

v.

JEREMY BEAN, et al.,

Defendants

I. DISCUSSION

Plaintiff previously filed an application to proceed *in forma pauperis* and submitted a civil rights complaint under 42 U.S.C. § 1983. (ECF Nos. 1, 1-1). The Court has not yet screened the complaint.

Plaintiff now files a motion for voluntary dismissal. (ECF No. 3). Under Federal Rule of Civil Procedure 41(a)(1), a plaintiff may dismiss an action without a court order by filing “a notice of dismissal before the opposing party serves either an answer or a motion for summary judgment.” Fed. R. Civ. P. 41(a)(1)(A)(i). The Court grants Plaintiff’s motion to voluntarily dismiss this action because no responsive pleading has been filed in this case. As such, the Court dismisses this action without prejudice.

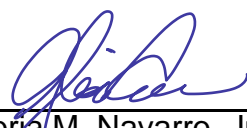
II. CONCLUSION

For the foregoing reasons, it is ordered that the motion for voluntary dismissal (ECF No. 3) is granted.

It is further ordered that this action is dismissed in its entirety without prejudice.

It is further ordered that the Clerk of the Court will close the case.

DATED THIS 14 day of February 2024.



Gloria M. Navarro, Judge
United States District Court